

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/671,993	RODRIQUEZ ET AL.	
	Examiner	Art Unit	
	Meagan Thomasson	3714	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Claim Amendments, filed May 11, 2007.
2. ☒ The allowed claim(s) is/are 5-9, 11, 31 and 32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date <u>7/18/07</u> .</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
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## DETAILED ACTION

### *Response to Amendment*

The examiner acknowledges the amendments made to claims 2,5-9 and 11, filed May 11, 2007. Claims 1,3,4,10 and 12-30 have been canceled, and claims 31 and 32 have been added.

### *Response to Arguments*

Applicant's arguments, see Remarks, filed May 11, 2007, with respect to claims 31 and 32 have been fully considered and are persuasive. The rejection of claims 1-30 has been withdrawn.

## EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Rick Nydegger on July 18, 2007. See the attached interview summary.

### **In the CLAIMS**

**Cancellation of claims:** cancel claim 2.

**Claim 5:**

- Line 1, replace "Claim 2" with: -- Claims 31 or 32--.
- Line 1, replace "wherein the friends list of the user" with: --wherein a friends list of the user--.

**Claim 6:**

- Line 1, replace "Claim 5" with: --Claims 31 or 32--.

**Claim 11:**

- Line 1, replace "Claim 2" with: --The method of Claim 5--.

**REASONS FOR ALLOWANCE**

**Claims 5-9,11,31 and 32 are allowed.** The following is an examiner's statement of reasons for allowance:

Independent claims 31 and 32 are allowable over the prior art as the prior art does not disclose a method of enabling a user to immediately join, at the user's option and without the user having to first access any particular gaming friend's online status, any of a plurality of the user's remote gaming friends in playing an online game, the method comprising the steps of a user first logging online so as to access a gaming server, displaying a user interface to the user featuring a plurality of options for initiating or joining in an online game for the selected game, at least one of said options comprising a quick join option which, when selected, automatically causes the gaming server to launch a search of a friends list previously created and stored for the user in order to find the first friend in that list who is online playing the selected game.

Specifically, the prior art requires a player to log onto a gaming server wherein a user interface is displayed to the user. A player may then select a friend from a "Friends List", whose online status is displayed to the user, that they wish to join in a game. That is, a friend's online status is accessed prior to the user selection of said friend.

Alternatively, a user may choose to join the game without first selecting a friend from said "Friends List", however, the prior art does not disclose a search of the "Friends List" in order to find a first friend who is in the previously created "Friends List". Thus the prior art does not disclose the steps of the quick join method as claimed. Further, it would not have been obvious to one of ordinary skill to modify features of the prior art to perform said method as there is no motivation to do so.

Other prior art systems disclose automatically matching game players over a communications network by evaluating various player characteristics (e.g. gaming skill, internet connection capabilities, gaming console processor speed, etc.) in order to match players of comparable abilities in an online gaming environment. However, this does not meet the limitations of claims 31 and 32, particularly those drawn to launching a search of a previously created friends list in order to find the first friend in that list who is online playing the selected game.

Claims 5-9 and 11 depend from claims 31 or 32.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pertinent prior art includes:

- Pelkey et al. (US 7,056,217 B1), drawn to a messaging service for video game systems with buddy list that displays a game being played.
- Nakayama et al. (US 7,113,975 B2), drawn to a server device for net games provided with a participating member organization system.
- Hutcheson et al. (US 6,874,029 B2), drawn to a method and system for mediating game playing services over a communications network featuring a player matching system that evaluates player skill levels in order to match compatible game players.
- Hardesty et al. (US 2004/0251517 A1), drawn to an internet based multiplayer game system which allows players to request to join a friend in an online game being played by said friend.
- Davis et al. (US 2004/0127289 A1), drawn to a system and method for matching opponents in networked computer games by taking into consideration factors such as player language, skill level, and player location.
- Kim (US 2002/0160838 A1), drawn to an instant messaging server and method for supporting an online game.
- Takahashi et al. (US 6,821,205 B2), drawn to a server device for a net game and management method which allows for the exchange of player profile information.
- Aravamudan et al. (US 6,301,609 B1), drawn to an instant messaging system wherein a user may assign priority to members of their friends list.
- Shea et al. (US 2006/0178216 A1), drawn to a network gaming system which allows a user to select a desired online game and then to distribute invitations to join said user in said selected online game to recipients selected from a friends list.
- Danieli et al. (US 7,240,093 B1), drawn to an online messaging system which displays a friends list and the status of each friend in said friends list, including any online gaming activity. A user may then select to join a friend in a game, or a user may choose to invite friends to join him/her in an online game.
- Perlman (US 6,134,590; US 5,956,485; US 5,586,257; US 5,558,339), drawn to a method for automatically connecting devices to a local network such that players in close

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physical locations are connected to play an online game in order to reduce latency between users.

- Manber et al. (US 6,651,086 B1), drawn to a method for matching participants to an Internet conversation based on their mutual interests.
- Grimm et al. (US 6,345,297 B1; US 6,128,660; US 5,894,556; US 5,828,843), drawn to a network match making system wherein a user is associated with a client computer connected to a network and clients are selected based on attributes of their users, the clients, servers, and/or communication links.
- Sparks II (US 6,352,479 B1), drawn to an interactive gaming server and community forum wherein game players are matched to games based on the skill level required by the game and the corresponding skill levels of other current players of the game.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meagan Thomasson whose telephone number is (571) 272-2080. The examiner can normally be reached on M-F 830-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Meagan Thomasson  
July 17, 2007

A large, stylized handwritten signature in black ink, likely belonging to John Hotaling, is written over the printed name and date.

John Hotaling  
Primary Examiner